

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

UNITED STATES OF AMERICA

CASE NO. 2:19-CR-00283-01

VERSUS

JUDGE JAMES D. CAIN, JR.

MORGAN LYONS (01)

MAGISTRATE JUDGE KAY

MEMORANDUM ORDER

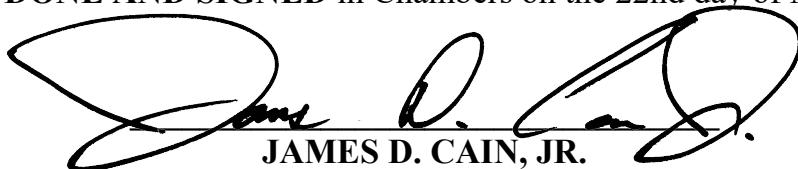
Before the court is a Motion for Sentencing Transcript and Statement of Reasons [doc. 193] filed by defendant Morgan Lyons. Lyons was sentenced in this court to concurrent terms of 137 months and 120 months imprisonment on June 27, 2022, with credit for time served since October 15, 2019, following his conviction of possession with intent to distribute cocaine and felon in possession of a firearm. His conviction was affirmed on appeal. Doc. 185. He filed a motion to reduce sentence under United States Sentencing Commission Amendment 821, which the court denied on February 14, 2024. Doc. 191. He now seeks a copy of his sentencing transcript and statement of reasons, but provides no indication as to the purpose.

A defendant is not entitled to a free copy of a sentencing transcript “solely because he is indigent or because he desires to prepare a petition seeking collateral relief.” *United States v. Watson*, 61 F. App’x 919, 919 (5th Cir. 2003); *see also United States v. Herrera*, 474 F.2d 1049, 1049–50 (5th Cir. 1973) (“This Court has consistently held that a federal prisoner is not entitled to obtain copies of court records at the government’s expense to search for possible defects merely because he is an indigent.”). Instead, Lyons may obtain

a free transcript as an indigent prisoner “if the trial judge or circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.” 28 U.S.C. § 753(f).

Lyons has no other motions pending in this court. The court cannot determine the relationship between the documents sought and the issues he may be attempting to raise. He is not entitled to free copies merely to conduct a fishing expedition. Accordingly, the motion [doc. 193] is **DENIED**. Lyons may obtain the records at his own expense, however. The clerk is requested to mail to him a copy of this order as well as the cost due for copies of Docket Entries 143 and 162.

THUS DONE AND SIGNED in Chambers on the 22nd day of May, 2024.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE